

Appl. No. : 10/726,256
Filed : December 2, 2003

COMMENTS

Claims 33-41 and 43-46 remain pending in the present application, Claims 42 and 47 -72 having been canceled without prejudice or disclaimer, and Claims 36, 38 and 45 having been amended. The claims set forth above include marking to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ and additions being underlined.

In response to the Office Action mailed February 14, 2006, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Claim Objections and Allowable Subject Matter

Claims 42 and 63 stand objected to for containing informality. Applicants respectfully traverse the present objections. However, in order to expedite prosecution of the present application, Applicants have canceled Claims 42 and 63 without prejudice or disclaimer. Applicants expressly reserve the rights to further prosecute the original versions of Claims 42 and 63 through continuation practice.

Additionally, Applicants gratefully acknowledge the Examiner's indication that Claims 36, 38-41 and 45 would be allowable if amended into independent form. In response, Applicants have amended Claims 36, 38 and 45 into independent form. Specifically, Claim 36 has been amended into the independent form incorporating all of the recitations of Claim 33 which it depends upon. Claim 38 has been amended into the independent form incorporating all of the recitations of Claims 33 and 37 which it depends upon. Claim 45 has been amended into the independent form incorporating all of the recitations of Claim 33, 43 and 44 which it depends upon. Thus, Claims 36, 38-41 and 45 are in condition for allowance.

Finally, Applicants have canceled withdrawn Claims 47-62 and 69-72 solely to reduce the fees associated with this filing. Applicants expressly reserve the right to further prosecute the original versions of Claims 47-62 and 69-72 through continuation and divisional practice.

Ridgeway Does Not Anticipate Claims 33, 34 and 42

Claims 33, 34 and 42 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,852,743 issued to Ridgeway. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have canceled Claim 42 without prejudice or disclaimer. Applicants expressly reserve the right to further prosecute the original version of Claims 33-46 through continuation practice.

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The Ridgeway reference teaches a pair of rigid frames 3 and 9. The frames 3 and 9 have openings covered with pliable and stretchable sheets 7 and 12, respectively. An article 6 is handled to be positioned between the stretchable sheet 7 and 12 of the rigid frames 3 and 9.

Ridgeway, however, does not disclose, either expressly or inherently, the nesting engagement of the two rigid frames. Rather, Ridgeway discloses that the frames 3 and 9 are spaced from each other. (Please see Fig. 2 of Ridgeway below.)

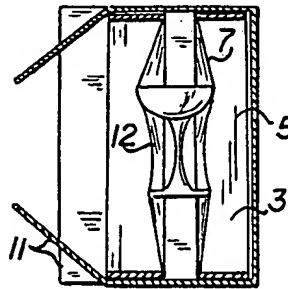


FIG. 2

In the packaging assembly of Claim 33, the first and second members are configured to nest with the first and second retention members facing each other. The English dictionary shows the definition of the term “nest” as “[a] set of objects of graduated size that can be stacked together, each fitting within a larger one” (Please see the copy of page 752 of Webster’s II New College Dictionary, Houghton Mifflin, 2005, which is attached hereto.)

In an exemplary embodiment in Fig. 8 below and the related description of the present application, it is stated that the subassemblies 10, 10' can be nested with each other when

stacked in an opposed arrangement. (Please see Fig. 8 and page 14, lines 22 and 23 of the present application.)

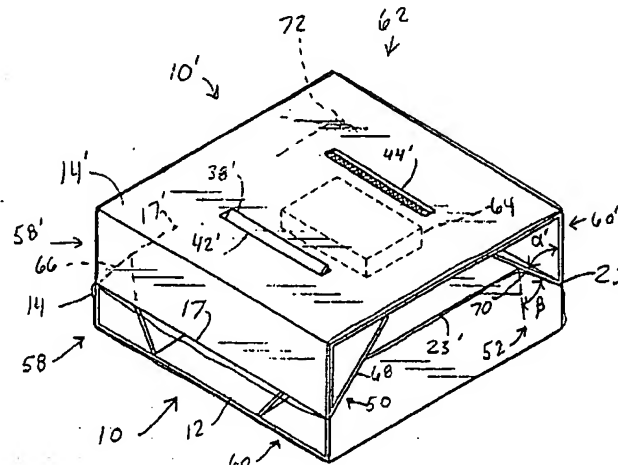


FIG. 8

In contrast with Ridgeway, Claim 33 now recites, among other recitations, “the first and second frame members being configured to nest with the first and second retention members facing each other.”

Applicants respectfully direct the Examiner to page 14, lines 21 to 27 of the specification of the present application which disclose that “[b]y providing at least one of the assemblies 10, 10' with tapered portions, such as tapered portions 66, 68, 70, 72, the subassemblies 10, 10' can be nested with each other when stacked in an opposed arrangement. By configuring the subassemblies 10, 10' to nest, as shown in Figure 8, the retention sleeves 14, 14' are further tightened and preferably stretched around the article 64 due to the nesting engagement of the peripherally extending structures 58', 60' with the tapered portions 66, 72 and 68, 70, respectively.”

Ridgeway fails to teach such a feature among other features of Claim 33. Thus, Applicants submit that Claim 33 clearly and non-obviously defines over the prior art.

Additionally, Applicants submit that Claim 34 also defines over the Ridgeway reference, not only because it depends from Claim 33, but also on its own merit.

Lofgren Does Not Anticipate Claims 33-35, 37, 42-44, 46 and 63-68

Claims 33-35, 37, 42-44, 46 and 63-68 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,668,506 issued to Lofgren. Applicants respectfully traverse the

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present rejection. However, in order to expedite prosecution of the present application, Applicants have canceled Claims 42 and 63-68 without prejudice or disclaimer. Applicants expressly reserve the rights to further prosecute the original versions of Claims 33-35, 37, 42-44, 46 and 63-68 through continuation practice.

Lofgren teaches a suspension package 10 having a stretchable hammock 16 supported by and extending between two end panels 14. The package 10 includes a base 12 and the first and second end panels 14. A product P is inserted in the hammock 16. The end panels 14 are supported by braces 18 which are removably attached to the base 12.

Lofgren, however, does not disclose, either expressly or inherently, the nesting engagement. Lofgren does not disclose any other structure having stretchable hammock and configured to nest with the structure described above.

In contrast, Claim 33 recites, among other recitations, "a first retention member extending between the first and second free edges, a second retention member extending between the third and fourth free edges, the first and second frame members being configured to nest with the first and second retention members facing each other."

As noted above, page 14, lines 21 to 27 of the specification of the present application disclose that "[b]y providing at least one of the assemblies 10, 10' with tapered portions, such as tapered portions 66, 68, 70, 72, the subassemblies 10, 10' can be nested with each other when stacked in an opposed arrangement. By configuring the subassemblies 10, 10' to nest, as shown in Figure 8, the retention sleeves 14, 14' are further tightened and preferably stretched around the article 64 due to the nesting engagement of the peripherally extending structures 58', 60' with the tapered portions 66, 72 and 68, 70, respectively."

Lofgren fails to teach such a feature among other features of Claim 33. Thus, Applicants submit that Claim 33 clearly and non-obviously defines over the prior art.

Additionally, Applicants submit that Claim 34, 35, 37, 41, 43, 44, and 46 also define over the Lofgren reference, not only because they depend from Claim 33, but also on their own merit.

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CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 15, 2006

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Attachment: The copy of page 752 of Webster's II New College Dictionary,
Houghton Mifflin, 2005

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Webster's II

New College Dictionary

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Editorial and Preface

Elements of the Explanatory Notes
Abbreviations and Pronunciation

Webster's II New

Abbreviations
Biographical Entries
Geographical Entries
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Four-Year College
Two-Year Publications
A Concise Guide
Forms of Address

Charts and Tables

Alphabet
Books of the Bible
Calendar
Currency
Geologic Time
Roman Numerals
Measurement
Periodic Table of
Signs and Symbols

IGNORANCE. 2. Agnosticism. —*nes'ient* *adj.* & *n.*
ness (nēs) *n.* [ME *nasse* < OE *naessa*.] A cape or headland.
-ness *suffix*. [ME *-nes* < OE.] State: quality: condition: degree

Nes-sel-rode (nēs'sal-rōd') *n.* [After Count Karl von Nesselrode (1780-1862).] A mixture of cherries, chestnuts, candied fruits, and liqueur, used in puddings, ice cream, or pies.
nest (nēst) *n.* [ME < OE.] 1a. A shelter made by a bird for holding its eggs and young. b. A structure or shelter in which fishes or insects deposit eggs or keep their young. c. A spot where young are reared: LAIR. d. A number of animals, as birds or insects, occupying a place where young are reared. 2. A snug lodging. 3a. A place or environment that fosters rapid growth or development: HOTBED. b. The persons occupying or frequenting such a place or environment. 4. A set of objects of graduated size that can be stacked together, each fitting within a larger one. 5. *Computer Sci.* One subroutine or set of data contained sequentially within another. —*u.* **nest-ed, nest-ing, nests** —*vi.* 1. To occupy or build a nest. 2. To hunt for birds' nests, esp. in order to collect the eggs. —*vt.* 1. To place in or as if in a nest. 2. To put snugly together or inside one another.
nest egg *n.* 1. An artificial or natural egg placed in a nest to induce a bird to lay. 2. A reserve of money.
nest-er (nēs'tar) *n.* 1. One that nests. 2. *Western U.S.* A squatter, homesteader, or farmer who settles in cattle-grazing territory.
nest-le (nēs'al) *u.* **-led, -tling, -ties** [ME *nestlen* < OE *nestlian*, to make a nest < *nest*, *nest*.] —*vi.* 1a. To settle snugly and comfortably. b. To lie in a sheltered place <a boat that nestled in the harbor> 2. To draw or press close, esp. in an affectionate way <The child nestled up to the teddy bear> 3. *Archaic.* To nest. —*vt.* To snuggle, rest, or press contentedly. —*nes'ter* *n.*
nest-ling (nēs'tling) *n.* 1. A bird too young to leave its nest. 2. A young child.
Nes-tor (nēs'tar, -tōr') *n.* [Gk. *Nēstōr*.] 1. A hero celebrated for his age and for his wise advice in the Homeric poems. 2. *often* **nestor**. A venerable, wise old man.
Nes-to-ri-an (nēs'tōr'i-an) *adj.* Of or relating to the theological doctrine, declared heretical in 431, that within Jesus are two distinct persons, divine and human, rather than a single divine person. —*Nes-to-ri-an* *n.* —*Nes-to-ri-an-ism* *n.*
net (nēt) *n.* [ME < OE *nett*.] 1. Openwork fabric made of cords, threads, or ropes woven or knotted together at regular intervals. 2. Something made of net, esp.: a. A device for capturing animals, as fish or butterflies. b. A mesh for holding the hair in place. 3a. A barrier strung between two posts to divide a tennis, badminton, or volleyball court in half. b. A ball that is hit into a net. c. An ice hockey goal. d. The cord meshwork attached to the hoop of a basket in basketball. 4. A meshed network of figures, lines, or fibers. 5. Something that ensnares. —*vt.* **net-ted, net-tling, nets** 1. To catch in or as if in a net. 2. To protect, cover, or surround with or as if with a net. 3. To hit (a ball) into a net. 4. To make into a net. —*net'ter* *n.*
net (nēt) *adj.* [ME < OFr., elegant. —see *NEAT*.] 1. Remaining after all deductions and adjustments have been made <net profits> <net volume> 2. Ultimate: final <the net outcome> 3. A net amount, as of profit or weight. —*vt.* **net-ted, net-tling, nets** 1. To bring in or yield as profit. 2. To clear as profit.
Net *n.* The Internet.
net asset value *n.* The market value of all securities owned by a mutual fund, minus its total liabilities, divided by the number of shares issued.
net-her (nēth'ar) *adj.* [ME < OE *neothera* < *neother*, down.] 1. Located or thought to be located beneath the earth's surface <the net-her regions> 2. Located below or down <the net-her end>
net-her-most (nēth'ar-mōst') *adj.* Farthest down: LOWEST.
net-her-world (nēth'ar-wōrld') *n.* 1. The world of the dead: HADES. 2. The part of society engaged in crime and vice.
net-i-quette (nēt'i-kēt', -kit) *n.* [Blend of [INTER]NET + ETIQUETTE.] Etiquette practiced or advocated in online communication over a computer network.
net-i-zen (nēt'i-zən) *n.* [Blend of NET + CITIZEN.] One who is a frequent or habitual user of the Internet.
net-keeper (nēt'kē'par) *n.* A goalkeeper.
net-su-ke (nēt'sō-kē) *n.* [J.] A small Japanese toggle, usu. decorated with inlays or carving, used esp. to fasten a purse to a kimono sash.
net-tling (nēt'ting) *n.* 1. An openwork fabric: NET. 2. The act or the process of making a net. 3. The act or process of fishing with a net.
net-tle (nēt'l) *n.* [ME < OE *netele*.] 1. A plant of the genus *Urtica*, having toothed leaves covered with hairs that secrete a stinging fluid that affects the skin on contact. 2. A stinging or prickly plant. —*vt.* **-tled, -tling, -ties** 1. To sting with or as if with a nettle. 2. To vex: irritate <was nettled by their criticism>
nettle rash *n.* Urticaria.
net-tle-some (nēt'l-səm) *adj.* Annoying: vexatious.
net-ton *n.* TON 1b.
net-work (nēt'wōrk') *n.* 1. An openwork fabric or structure in which rope, thread, or wires cross at regular intervals. 2. Something resembling a net <a network of spies> 3. A chain of interconnected broadcasting stations, usu. sharing a large proportion of their programs <a TV network> 4a. A group or system of electric compo-

nents and connecting circuitry designed to function in a specific way. b. *Computer Sci.* A system of computers linked together to share information. —*u.* **-worked, -work-ing, -works** —*vt.* 1. To overlay with or as if with a network. 2. To broadcast over a network. 3. *Computer Sci.* To connect (computers) into a network. —*vi.* **Informal.** To make connections among people or groups of a like kind.
net-work-ing (nēt'wōrk'ing) *n.* An informal system whereby persons having common interests assist each other.
Neuf-châ-tel (nōō'shā-tēl', nōē'shā-) *n.* [After Neufchâtel, France.] A soft white cheese made from cow's milk.
neume or **neum** (nōom, nyōom) *n.* [ME, series of notes sung on one syllable < Med. Lat. *pneuma* < Gk., breath.>] A symbol used in notation of plainsong in the Middle Ages, surviving in transcriptions of Gregorian chants. —*neu-mat'ic* (nōō-māt'ik, nyōō-) *adj.*
neur- *prefix*, var. of *NEURO-*
neur-al (nōō'r'al, nyōō'r'-) *adj.* 1. Of or relating to a nerve or to the nervous system. 2. Of, relating to, or located on the same side of the body as the spinal cord: DORSAL. —*neu-ral'ly* *adv.*
neur-al-gia (nōō-rāl'jā, nyōō-) *n.* Paroxysmal pain along a nerve. —*neu-ral'gic* *adj.*
neural network also **neural net** *n.* A real or virtual device, modeled after the human brain, in which several interconnected elements process information at the same time and adapt and learn from past patterns.
neu-ras-the-ni-a (nōō'r-as-thē'nē-ā, nyōō'r'-) *n.* A psychological disorder characterized by chronic fatigue and weakness, loss of memory, and generalized aches and pains. —*Not in scientific use.* —*neu-ras-then'ic* (thē'n'ik) *adj.* —*neu-ras-then'ic-ally* *adv.*
neur-rec-to-my (nōō-rēk'tō-mē, nyōō-) *n., pl. -mies* Surgical removal of a nerve or part of a nerve.
neu-ri-lem-ma (nōō'r-i-lēm-ā, nyōō'r'-) *n.* [NEUR- + Gk. *eilema*, veil < *eilein*, to wind.] The outer covering of a nerve fiber. —*neu-rilem'al* *adj.*
neu-ris-tor (nōō-ris'tar, nyōō-) *n.* [NEUR(ON) + (TRANS)ISTOR.] An electronic device capable of relaying a signal without attenuation in velocity.
neu-ri-tis (nōō-r'i'tis, nyōō-) *n.* Inflammation of a nerve that causes pain, loss of reflexes, and muscular atrophy. —*neu-rit'ic* (-it'ik) *adj.*
neuro- or **neur-** *prefix*. [NLat. < Gk. *neuron*, tendon, nerve.] 1. New <neuroblast> 2. Neural <neuropathology>
neu-ro-blast (nōō'r-ō-blāst', nyōō'r'-) *n.* An embryonic cell from which a nerve cell develops.
neu-ro-cyte (nōō'r-ō-sīt', nyōō'r'-) *n.* A nerve cell and its processes.
neu-ro-glia (nōō-rō-glī-ā, nyōō-, nōō'rā-glē-ā, nyōō-, glī-ā) *n.* [NEURO- + Med. Gk. *glia*, glue.] 1. The network of branched cells and fibers that supports the tissue of the central nervous system. 2. (*pl. in number*). Any of the groups of cells or cell types making up this network. —*neu-ro-glī'al* *adj.*
neu-ro-l-o-gy (nōō-rō-lō-jē, nyōō-) *n.* The medical science that deals with the nervous system and its disorders. —*neu-ro-lō-gist* (nōō-rō-lō-jist, nyōō-r'-) *adj.* —*neu-ro-lō-gist* *n.*
neu-ro-ma (nōō-rō-mā, nyōō-) *n., pl. -mas* or *-ma-ta* (-mā-tā) A tumor composed of nerve tissue.
neu-ro-mus-cu-lar (nōō-r-ō-mūs'kyā-lar, nyōō'r'-) *adj.* 1. Of or affecting both nerves and muscles. 2. Having the characteristics of both nervous and muscular tissue.
neu-ron (nōō'r'on, nyōō'r'-) *n.* [Gk., nerve.] Any of the cells of nerve tissue consisting of a nucleated portion and cytoplasmic extensions, the cell body, and the dendrites and axons. —*neu-ron'al* (nōō-rō-n'al, nyōō-, nōō'r-ō-n'al, nyōō'r'-), *neu-ron'ic* *adj.* —*neu-ron'ic-ally* *adv.*
neu-ron-e (nōō'r-on, nyōō'r'-) *n.* Chiefly Brit. var. of *NEURON*.
neu-ro-pa-thol-o-gy (nōō-r-ō-pā-thōl-ō-jē, nyōō'r'-) *n.* Study of the causes of the nervous system. —*neu-ro-pa-thol-ō-log'ic* (-pāth-ō-lō-jik) *adj.*
**neu-ro-pa-thol-ō-gist *n.* A disease or abnormality of the nervous system.
neu-ro-pep-tide (nōō-r-ō-pēp'tid, nyōō'r'-) *n.* Any of various peptides, such as endorphins, that are secreted by the brain and function as neurotransmitters.
neu-ro-psy-chi-a-try (nōō-r-ō-sī-kī-ā-trē, -sī-, nyōō'r'-) *n.* The study of disorders with both neurological and psychiatric features. —*neu-psy-chi-at'ric* (-sī-kē-āt'rik) *adj.* —*neu-ro-psy-chi-a-trist* *n.*
neu-ro-py-tho-an (nōō-rōp'thō-an, nyōō-) *n.* [*NLat.* *Neuroptera*, a der name: NEURO- + Gk. *pteron*, wing.] An insect of the order Neuroptera, as the ant lion or lacewing, having four net-veined wings. —*neu-ro-py-tho-an* *adj.* —*neu-ro-py-tho-ous* *adj.*
neu-ro-sis (nōō-rō'sis, nyōō-) *n., pl. -ses* (-sēz') Any of various mental or emotional disorders, such as hypochondria, arising without evidence of organic disease and involving symptoms such as anxiety and depression. —*Not in scientific use.*
neu-ro-sur-gery (nōō-r-ō-sūr'jā-rē, nyōō'r'-) *n.* Surgery on any part of the nervous system. —*neu-ro-sur-geon* *n.* —*neu-ro-sur-gi-cal* *adj.*
neu-rot-ic (nōō-rōt'ik, nyōō-) *adj.* 1. Of, relating to, or affected with a neurosis. —*Not in scientific use.* 2. Overly anxious. —*neu-rot'ic-ally* *adv.*
neu-rot-o-my (nōō-rōt-ō-mē, nyōō-) *n., pl. -mies* Surgical cutting or stretching of a nerve, usu. so as to relieve pain.**

neu-ro-trans-mit-ter (nōō'r-ō-trāns'mit-er, -trānz) *n.* A chemical substance, such as acetylcholine or dopamine, that carries nerve impulses across a synapse.
neu-ter (nōō'tar, nyōō'-) *adj.* [ME *neutre* < OFr. < Lat. *neuter*, neuter, either.] 1a. Neither masculine nor feminine. b. Neither active nor passive. 2. *Biol.* Having no sexual organs. b. *Bot.* Having no stamens: ASEXUAL. c. *Zool.* Sexually undeveloped. 3. *NEUTRAL*. —*n.* 1a. The neuter grammatical gender. 2a. A castrated animal. b. A sexually undeveloped or impotent insect: WORKER. c. *Bot.* A plant with no sex. 3. A neutral person. —*vt.* **-tered, -ter-ing, -ter-ize**
neu-tral (nōō'tral, nyōō'-) *adj.* [Lat. *neutralis*, gra < *neuter*.] —see *NEUTER*.] 1. Not allied with, supporting either side in a dispute, war, or contest. 2. Belonging to no party <on neutral land> 3. Not one thing or the other. 4. Of no sex: NEUTER. 5. *Chem.* a. Of or pertaining to a particle, object, or system that has a solution in which the concentrations of positive and negative ions are equal. b. *Physic.* a. Of or relating to an object that has neither positive nor negative electric charge: neutralizing. 2. *Chem.* A reaction between an acid and a base that produces a salt and water.
neu-tral-ize (nōō'tra-līz', nyōō'-) *vt.* **-ized, -iz-ing, -izes** 1. To counterbalance the effect of so as to render neutral and immune from use, invasive, or warlike. 2. *Chem.* a. To make (a solution) neutral. b. To cause (an acid or base) to undergo neutralization. 3. *Chem.* a. To make (a solution) neutral. b. To counteract the effect of (a toxin or drug).
neu-tral-iz-ation (nōō'tra-lī-zā'shən, nyōō'-) *n.* 1. The act of neutralizing. 2. *Chem.* A reaction between an acid and a base that produces a salt and water.
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